

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. 07-04
	§	
VANIVAN DEON FULLER	§	

**MOTION FOR DISCLOSURE
OF CONFIDENTIAL INFORMANTS AND
OTHER INFORMANTS, AGENTS AND COOPERATING INDIVIDUALS**

TO THE HONORABLE JOSEPH J. FARNAN, JR., UNITED STATES DISTRICT JUDGE FOR
THE DISTRICT OF DELAWARE:

I.

COMES NOW, VANIVAN DEON FULLER, Defendant, by and through his attorney of record, ROBERT G. TURNER, and respectfully moves this Honorable Court to enter an order directing the United States to furnish the Defendant the names, addresses, telephone numbers, and present locations of any informant, whether paid or unpaid, of any cooperating individual, and/or any other agent of any government agency or unit, who supplied information to or performed any role whatsoever which formed the background for, or resulted in, the arrest of the Defendant.

II.

As to any person identified in Section I above, the Defendant further moves this Court to enter an order directing the United States to furnish the Defendant the names, addresses, telephone numbers, and present locations of those individuals who were involved in any way in getting those persons identified in Section I above in contact with the United States or any other government

agency or unit, the precise details, the events and dates thereof, leading up to the use, employment, cooperation, and the like of those identified in Section I above by the United States or any other governmental agency or unit, and any other details, events, and the dates thereof pertaining to the continued use, employment, cooperation and the like of those identified in Section I above by the United States or any other governmental agency or unit, that would reflect upon the persons motivation for the actions taken while assisting the United States or any other government agency or unit. This request includes, but is not limited to, the following information relating to any persons identified in Section I above.

1. Whether such person was suspected of, under investigation or surveillance, or apprehended for the commission of any crime at the time he or she was assisting, or was solicited to assist, the United States or any other governmental agency or unit. If the answer is affirmative, please state:
 - a. what crime, with specificity and detail, including dates, times, locations, charges and participants to such crime, such person was suspected of, under investigation or surveillance, or apprehended for committing at the time he or she was assisting, or was solicited to assist the United States or any other governmental unit or agency;
 - b. whether any plea bargain, agreement, or arrangement was entered into by such person, the detail of said bargain, agreement or arrangement, the outcome of such bargain, agreement, or arrangement;
 - c. whether any potential or actual criminal charges against such person was abandoned, altered or otherwise not made against said person at the time that he or she was assisting, or was solicited to assist, or have completed assisting the United States or any other governmental unit or agency;
 - d. the name and address of the individual representative of the United States or any other governmental unit or agency who entered into any bargain, agreement or arrangement discussed in 1.b. above, or was responsible for abandoning, altering or otherwise not bringing any charges as discussed in 1.c. above, and the authority or guidelines utilized by said representative in entering into any bargain,

arrangements, or agreement as discussed in 1.b. above or in abandoning, altering or otherwise not bringing any charges discussed in 1.c. above.

2. Whether such person entered into any financial arrangement of any kind, received or expects to receive any reward or otherwise was or will be compensated by the United States or any other governmental agency or unit due to his or her actions or inactions. If the answer is affirmative, please state:
 - a. the precise arrangement, reward or compensation, financial or otherwise, that such person has, will or expects to receive from the United States, or any other governmental agency or unit, what such person must do to fulfill his or her end of the arrangement, and when such arrangement was entered;
 - b. the names and addresses of the individual representative of the United States or any other governmental unit or agency who entered into this agreement or arrangement with such persons as discussed in 2 above, and the procedures, standards, guidelines, and the like utilized in entering and fulfilling such an agreement or arrangement, including, but not limited to, agency guidelines pertaining to the disbursement of any monetary funds, and the name and title of the individual who will determine what disbursements will be made.
 - c. when such persons were told of the precise arrangement and in what details.
3. Whether such persons were threatened in any way by any governmental official or non-governmental official, prior to, during or subsequent to such persons providing assistance to the United States or any other governmental agency or unit, such threats including, by way of example, threat of prosecution. If the answer is affirmative, please state the exact nature of each threat made, the person making such threat, the date and time of such threat, the location of the parties at the time of such threat, the action required to be undertaken to avoid the threatened action and the action or inaction taken by such person.
4. The criminal records of any person so identified, and their NADDIS, FBI, DEA, and other law enforcement identification number and record.
5. Any plea agreement, bargain, or other arrangement, financial or otherwise, that was ever entered by such person under the United States or any other

governmental agency or unit, the details and outcome of any such agreement, bargain, or arrangement, and the exact date that said agreement, bargain or arrangement was first discussed and the date it was made, and the party who initiated each agreement, bargain, or arrangement.

6. Any information tending to show bias and/or prejudice on the part of any person so identified.
7. Any information tending to show that such person has made contradictory or inconsistent statements relative to this case, or the Defendant herein, or to any matter which the United States is or has investigated.
8. Any information tending to show that such person had ever threatened with physical violence, any Defendant herein, member of the Defendant's family, or any other person.
9. Any information tending to show that such person suffers from any material defect in perception, memory, veracity, or articulation, including, but not limited to, any psychiatric or medical tests supporting or tending to support such conclusion.
10. Any information tending to show that any such person may have at any time failed to identify, or misidentify either Defendant VANIVAN DEON FULLER, or any other Defendant in this cause.

WHEREFORE, the Defendant prays that this Court grant his Motion for Disclosure of Confidential Informants, Agents and Cooperating Individuals and enter an order directing the United States Attorney to furnish the Defendant with the names, addresses, telephone numbers, and present locations of those individuals who were involved in any way in getting those persons identified in Section I above in contact with the United States or any other governmental agency or unit, the precise details, events and dates thereof, leading up to the use, employment, cooperation and the like of those identified in Section I above by the United States or any other governmental agency or unit, and any other details, events, and the dates thereof pertaining to the continued use, employment, cooperation and the like of those identified in Section I above by the United States or any other

governmental agency or unit, that would reflect upon the person's motivation for and actions taken while assisting the United States or any other governmental agency or unit.

The undersigned has attempted to confer with Assistant United States Attorney Ilana H. Eisenstein by telephone on March 20, 2008 but was unable to speak with her.

SIGNED: /s/ Robert G. Turner

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Date: March 20, 2008

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Motion for Disclosure of Confidential Informants and Other Informants, Agents, and Cooperating Individuals has been delivered via electronic mail from the Clerk of the Court to Mr. Douglas McCann/Ms. Ilana H. Eisenstein, Assistant United States Attorney, on this the 20th day of March, 2008.

/s/ Robert G. Turner
ROBERT G. TURNER

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ORDER

On this day came on to be heard Defendant's Motion for Disclosure of Confidential Informants and Other Informants, Agents and Cooperating Individuals, and after the Court having considered the same, it is hereby GRANTED/DENIED.

SIGNED and ENTERED this the ____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE